

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Rebecca McNeill on April 7, 2008.

The application has been amended as follows:

In Claim 6, line 2, please delete the recitation of "chosen from", and insert instead -- selected from the group consisting of--.

In Claim 7, line 2, please delete the recitation of "chosen from", and insert instead -- selected from the group consisting of--.

Claim 8 (Amended) The method of claim 5, wherein the *groEL2* gene fragment of a reference strain is selected from the group consisting of [chosen from] the nucleotide sequences of SEQ ID NOS [43-61] 43-44, 47, 49-51, 55-61.

In claim 13, line 4, delete "44-61" and insert instead --44, 47, 49-51, 55-61--.

2. The restriction requirement between Group I and Group II is withdrawn. The method claims are rejoined as the method claims include all the limitations of an allowed product claim. It is noted that the restriction requirement between the different SEQ ID NOS was withdrawn in the Office Action dated 8/2/2007.

3. The following is an examiner's statement of reasons for allowance: The claims are directed to nucleic acid molecules consisting of each of SEQ ID NOS 1-44, 47, 50-51, 55-60 and

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61. Claim 4 is directed to an isolated nucleic acid molecule comprising SEQ ID NO: 43. Claim 14 is directed to an isolated groEL2 gene fragment produced by amplification from a microorganism with the primer of SEQ ID NO: 1 and the primer of SEQ ID NO: 2, wherein the microorganisms are set forth in the claim. Claims 5-9 are directed to a method of identifying a *Streptomyces* species comprising using a primer of SEQ ID NO: 1 or a primer of SEQ ID NO: 2. The claims are allowable over the prior art because the prior art does not teach or fairly suggest a nucleic acid molecule consisting of SEQ ID NO: 1 or 2, methods of amplification using one of the molecules, or products produced by nucleic acid amplification of the microorganisms disclosed in claim 14, with the primers of SEQ ID NO: 1 and 2. Further, the prior art does not teach or suggest an isolated nucleic acid molecule comprising SEQ ID NO: 43, or a nucleic acid molecule that consists of any one of SEQ ID NOS 3-44, 47, 49-51 or 55-61.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Jehanne Sittou whose telephone number is (571) 272-0752. The examiner can normally be reached Monday, Wednesday and Thursday from 9:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla, can be reached on (571) 272-0735. The fax phone number for this Group is (571) 273-8300.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

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/Jehanne Sitton/
Primary Examiner
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